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Atty. Docket No.: 25436/2242

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Anderson, et al.	Examiner:	Not yet assigned
Serial No.:	10/691,269	Group Art Unit:	1645
Filed:	October 22, 2003	Conf. No.:	8614
Entitled:	Modified Nucleotides and Methods of Labeling Nucleic Acids		

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mary Wilson

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Request for Corrected Filing Receipt;
2. Marked-Up Copy of the Filing Receipt, with Changes Marked in Red;
3. Copy of the Declaration/Power of Attorney (with attached addendum); and
4. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 25436/2242. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: 11/11/04

Name: Kathleen Williams

Registration No.: 34,380

Customer No.: 27495

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



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Serial No.: 10/691,269  
Filed: October 22, 2003  
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Labeling Nucleic Acids

Examiner: Not yet assigned

Group Art Unit: 1645

Conf. No.: 8614

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Applicants request issuance of a corrected Official Filing Receipt for the above-identified patent application. The Filing Receipt should list the Power of Attorney as:

Customer No.: 27495

The Filing Receipt incorrectly lists the Power of Attorney as: None. The correct Power of Attorney is: Customer No.: 27495

A copy of the official Filing Receipt is enclosed with the correction(s) highlighted in red. A copy of the Declaration/Power of Attorney with addendum attached is also enclosed. It is believed that no further fees are due for this application.

Respectfully submitted,

Date: 11/11/04

Name: Kathleen Williams

Registration No.: 34,380

Customer No.: 27495

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

NOV 08 2004

APPL NO.	FILING OR 371 (c) DATE	PART UNIT	FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLMS	IND CLMS
10/691,269	10/22/2003	1645	549	25436/2242	12	31	2

27495  
PALMER & DODGE, LLP  
KATHLEEN M. WILLIAMS / STR  
111 HUNTINGTON AVENUE  
BOSTON, MA 02199

CONFIRMATION NO. 8614

## UPDATED FILING RECEIPT



\*OC000000013898792\*

Date Mailed: 09/27/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jack D. Anderson, Oceanside, CA;  
Jeffrey Carl Braman, Carlsbad, CA;  
Haoqiang Huang, Milwaukee, WI;

## Assignment For Published Patent Application

Stratagene

Power of Attorney: None

The patent practitioners associated with customer  
number 27495

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/420,675 10/23/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 08/11/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,  
**US10/691,269**

Projected Publication Date: 01/06/2005

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Modified nucleotides and methods of labeling nucleic acids

Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Practitioner's Docket No. 25436/2242

PATENT

**COMBINED DECLARATION AND POWER OF ATTORNEY  
(FOR PATENT APPLICATION)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**Modified Nucleotides and Methods of Labeling Nucleic Acids**

(check one) ☐ is attached hereto.  
☒ was filed on October 22, 2003 as  
Application Serial No.: 10/691,269  
And was amended on \_\_\_\_\_, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do now know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information, which is material to the patentability of this application in accordance with Title 37 CFR § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Date Filed	Priority Claimed	
Number	Country		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Number	Country		<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
1. 60/420,675	October 23, 2002

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status - patented, pending, abandoned</u>
1.		

### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

<u>APPOINTED PRACTITIONER(S)</u>	<u>REGISTRATION NUMBER(S)</u>
Kathleen M. Williams	34,380
Richard B. Smith	34,020
Paula Campbell Evans	32,503
Anthony Miele	34,393
Barbara Gyure	34,614
David Dykeman	46,678
Mark J. FitzGerald	45,928
Elizabeth Neuman Spar	45,123
Matthew M. Beaudet	50,649
Michael P. Doyle	49,052
David Rucando	52,184
Sundar Subramanyam	53,651
Cynthia Zhang	53,827
Christopher Southgate	P54,875

Address all correspondence to:

**Kathleen Williams**  
**Customer No.: 27495**  
**Palmer & Dodge, LLP**  
111 Huntington Avenue  
Boston, MA 02199-7613

Direct all telephone calls to **Kathleen Williams** at (617) 239-0100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**First Named Inventor:**



Date:

12 MAR 2004

Inventor's Signature

Name: Jack D. Anderson

Residence: Oceanside, CA

Citizenship: USA

Post Office Address: 327 Vista Alegria, Oceanside,  
CA 92057

**Second Named Inventor:**



Date:

15 March 2004

Inventor's Signature

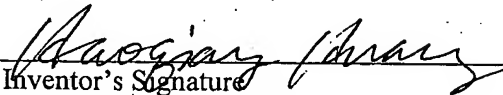
Name: Jeffrey Carl Braman

Residence: Carlsbad, CA

Citizenship: USA

Post Office Address: 7875 Vista Higuera, Carlsbad,  
CA 92009

**Third Named Inventor:**



Date:

03/17/2004

Inventor's Signature

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Group Art Unit: 1645

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**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Please include the following 10 patent practitioners to be recognized by the Office as being of record in this application:

**APPOINTED PRACTITIONER(S)**

**REGISTRATION NUMBER(S)**

Kathleen M. Williams

34,380

Richard B. Smith

34,020

Paula Campbell Evans

32,503

Ralph Loren

29,325

Barbara Gyure

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David Dykeman

46,678

Mark J. FitzGerald

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